

# SECRET

	HANDLING PRIORITY	CLASSIFICATION UNCLASSIFIED	MESSAGE REFERENCE NO. <i>A-2308</i>
TO:	ALL DIPLOMATIC AND CONSULAR POSTS RAMC BANGKOK, RAMC MEXICO CITY, RAMC PARIS		
FROM:	Department of State (A/ALS)		DATE: <i>Sept. 3, 1981</i>
E.O. 11652:	N/A		
TAGS:	ALOW		
SUBJECT:	DANGER PAY ALLOWANCE - New Chapter 650, STANDARDIZED REGULATIONS (Government Civilians, Foreign Areas)		
REF:	SECTION 013 AND NEW CHAPTER 260 SR (GC,FA)		
<div style="border: 1px solid black; padding: 2px; margin-bottom: 5px;">DEPT. DISTRIBUTION ORIGIN/ACTION</div> <div style="display: flex;"> <div style="width: 30%;"> <p>A/ALS-35</p> <p>ARA/EX, AF/EX, EA/EX, EUR/EX, NEA/EX, IO/EX, A, M, M/COMP, M/COMP/FO, DG, PER, L/M, AID, AGRIC, ICA, COM, CIA, DOD, TREAS.</p> </div> <div style="width: 70%;"> <p>1. Effective September 6, 1981, a new Chapter 650 Danger Pay Allowance, SR (GC,FA) is established as described below.</p> <p>2. NOTE: Until a joint Foreign Affairs Manual Circular for 3 FAM 300 and 4 FAM 542 is issued for State, Agency for International Development, International Communication Agency, Agriculture and Commerce, those agencies may not act on this new Chapter 650 of the Standardized Regulations. Other agencies may implement the benefit according to their own implementing procedures and regulations subject to post designations by the Secretary of State.</p> <p>3. Designations of Danger Pay posts have not yet been made by the Secretary of State.</p> <p>4. <u>DESCRIPTION OF BENEFIT</u> The Foreign Service Act of 1980 (Sec. 2311) amended Title 5 United States Code by adding a new sec. 5928. This provides: "An employee serving in a foreign area may be granted a danger pay allowance on the basis of</p> </div> </div>			
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DRAFTED BY:	A/ALS:RRStormer:jdc	DRAFTING DATE	8-27-81
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State Dept. review completed

CLEARANCES:

A - Mr. Thomas M. Tracy (By signed authorization)

CHAPTER 650

DANGER PAY ALLOWANCE

Definitions

For the purpose of this chapter

- a. "Danger Pay Allowance" means the additional compensation of up to 25 percent over basic compensation granted to employees (Sections 031 and 040i.) for service at designated danger pay posts, pursuant to Section 5928, Title 5, United States Code (section 2311, Foreign Service Act of 1980) and the provisions of this chapter.
- b. "Danger Pay Post" means:
  1. A place listed individually in Section 920 which has been so designated by the Secretary of State.
  2. A place which is not listed individually in Section 920 but which is located in a country or area which has been so designated by the Secretary of State.
- c. "Detail" means detail as defined in Section 040p. for a minimum of 24 consecutive hours, commencing at time of arrival, at a place designated a danger pay post, other than the employee's post (section 040h.), including all periods of leave while present at such place of detail but excluding any days of absence away from the designated post or country/area. Employees transiting a post who are inadvertently detained thereat for more than one day shall be considered on detail.
- d. "Day" means each midnight, including the midnight of the 24-hour minimum period required by Section 651c., occurring while the employee is on detail at a designated danger pay post or country/area.

652 Scope

- a. The danger pay allowance is designed to provide additional compensation above basic compensation to all U.S. Government civilian employees, including Chiefs of Mission, for service at places in foreign areas where there exist conditions of civil insurrection, civil war, terrorism or wartime conditions which threaten physical harm or imminent danger to the health or well-being of an employee. These conditions do not include acts characterized chiefly as economic crime.
- b. The danger pay allowance may be granted separately from any grant of post differential in Chapter 500 and may be granted at foreign posts or country/areas which have no post differential.

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which threaten physical harm or imminent danger to the health or well-being of the employee. A danger pay allowance may not exceed 25 percent of the basic pay of the employee, except that if an employee is granted an additional differential under Section 5925 (b) of this title with respect to an assignment, the sum of that additional differential and any danger pay allowance granted to the employee with respect to that assignment may not exceed 25 percent of the basic pay of the employee."

Generally, danger pay will be granted only at posts where conditions have resulted in evacuation of, or authorized departures of non-essential employees and/or dependents. Conditions qualifying for consideration of danger pay do not include actions characterized chiefly as economic crime.

Establishment of danger pay may mean a reduction in regular post differential rate, if any, by that fraction resulting from political violence to avoid dual crediting of violent conditions. Danger pay is available to all American regular direct hire employees at a post including temporary, part-time and intermittent employees, and those on detail at a designated post or travellers transiting the post for more than one day. It is not paid for any days of absence from a designated post.

Danger pay at the authorized rate is not subject to any pay ceiling. Usually the maximum rate of 25 percent of basic pay will be prescribed, but lesser rates may be established in the Secretary of State's discretion. Conditions at designated danger pay posts will be monitored periodically to insure that payment is appropriate. Danger pay will terminate when employees or dependents previously evacuated or authorized departure are first authorized to return to the post, if not terminated earlier.

Under Congressional direction, the total paid at a post designated both for danger pay and for another new benefit--special incentive differential--may not exceed 25 percent of basic salary. Thus, if the combination should be in effect at a particular post, the special incentive differential would be reduced in order to meet the ceiling.

##### 5. REGULATIONS

The new chapter 650 DANGER PAY ALLOWANCE, SR (GC,FA) is attached.

6. This airgram has been distributed to Washington headquarters of all agencies. Please advise local offices of other agencies of contents of this airgram.

7. Printed pages of this chapter will be distributed with a future transmittal letter of the Standardized Regulations (GC,FA).

ATTACHMENT: CHAPTER <sup>6</sup> 650 - SR (GC,FA)

Danger Pay Allowance Applicable to Post (Sec. 040h.)

654.1 Commencement

Danger pay allowance commences on the date of designation by the Secretary of State for employees present at the post on assignment or detail, and on the date of arrival at post for subsequently assigned or detailed employees or for employees returning to post after temporary absence.

654.2 Termination

The danger pay allowance terminates as of the close of business on the day the designation is removed by the Secretary of State, or the day the employee departs the post for any reason for a post or country/area not designated for the danger pay allowances.

655 Danger Pay Allowance on Detail

Employees on detail at a danger pay post may be granted the danger pay allowance at the prescribed rate for all days of detail at such post except for days of absence from the post in a post or area not designated for the danger pay allowance.

656 Payments

656.1 Full-Time, Temporary and Intermittent Employees

The danger pay allowance for full-time employees and employees appointed for temporary periods (Secs. 013.3 and 031.4) shall be at the percentage of basic compensation established for the post. For part-time regularly-scheduled employees and intermittent employees the danger pay allowance shall be computed at the prescribed percentage of basic compensation earned during the applicable pay period.

656.2 No Ceiling on Payments

The danger pay allowance is not subject to any ceiling which would provide a payment less than the full percentage rate prescribed for the post.

657 Exclusion of Danger Pay Allowance from Step Pay Increase Computations

Payment of the danger pay allowance shall not be construed as part of basic compensation for computing within-grade, step, merit pay increases and Senior Executive Service or Senior Foreign Service bonuses.

- c. The danger pay allowance, if prescribed, is in lieu of special incentive differential authorized a post under the provisions of Chapter 570, which may have been in effect at the post at the time of designation as a danger pay post to the extent that the combined payments may not exceed 25 percent of basic compensation.
- d. The danger pay allowance is in lieu of that part of the hardship post differential rate (Chapter 500) at a post which is attributable to political violence. Consequently the rate of post differential may be reduced while danger pay allowance is in effect to avoid dual crediting for political violence. However, combined danger pay and post differential for each employee will be at least five percent of basic compensation above the previous combined post differential and special incentive differential, if any, in effect at the post.
- e. Unless otherwise specified, the amount of the danger pay allowance shall be at the maximum rate of 25 percent of basic compensation.

## 653 Basis for Danger Pay Allowance

### 653.1 Designation

A danger pay allowance is established by the Secretary of State when, and only when, civil insurrection, civil war, terrorism or wartime conditions threaten physical harm or imminent danger to the health or well being of a majority of employees officially stationed or detailed at a post or country/area in a foreign area.

### 653.2 Criterion

In general, the conditions described under Sections 652 and 653.1 must be such that an evacuation from the post of non-essential employees or dependents or both has been authorized or ordered; or non-essential employees and/or dependents are not permitted to come to the post because of these conditions. There must exist a continuing threat of physical harm or imminent danger to health or well being of employees at the post. Consequently, the danger pay allowance, if not terminated earlier, shall be terminated when non-essential employees and/or dependents are first authorized to return to the post.

### 653.3 Periodic Review

Conditions at danger pay allowance posts are reviewed periodically at appropriate intervals, usually monthly, to ensure that the danger pay allowance continues only during the existence of conditions justifying such payment. As a result of periodic reviews the danger pay allowance may be modified or removed at any time.